

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Criminal No. 05-81165

Plaintiff,

HON. DENISE PAGE HOOD

v.

D-1, KHAOPHONE SYCHANtha,
D-2, DAVID SOK,
D-3, MAMIE ARTERBERRY,
D-4, RICHARD ARTERBERRY,

Vios.: 21 U.S.C. § 846
21 U.S.C. § 841(a)(1)
21 U.S.C. § 841(b)(1)(A)(viii)
21 U.S.C. § 841(b)(1)(B)(viii)
21 U.S.C. § 841(b)(1)(C)
18 U.S.C. § 2

Defendants.

FIRST SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE

(21 U.S.C. § 846, 841(a)(1), 841(b)(1)(A)(viii),(B)(vii), (viii),(C)
Conspiracy to Possess with Intent to Distribute and
Distribute a Controlled Substance)

D-1, KHAOPHONE SYCHANtha
D-2, DAVID SOK
D-3, MAMIE ARTERBERRY
D-4, RICHARD ARTERBERRY

Beginning on or about May 1, 2003 and continuing through on or about
January 2011, in the Eastern District of Michigan, Southern Division, and
elsewhere, Defendants KHAOPHONE SYCHANtha, DAVID SOK, MAMIE

ARTERBERRY and RICHARD ARTERBERRY, together with others known and unknown to the grand jury, did knowingly, intentionally and unlawfully combine, conspire, confederate and agree to commit an offense against the United States, that is, to possess, with the intention to distribute, and distribute one or more controlled substances, specifically:

- a substance containing a detectable amount of N-Benzylpiperazine, also known as “BZP,” which is a schedule I controlled substance;
- 500 grams or more of a substance containing a detectable amount of methamphetamine, which is a schedule II controlled substance;
- 5 grams or more of methamphetamine, which is a schedule II controlled substance;
- a substance containing a detectable amount of MDMA (3,4 - methylenedioxymethamphetamine), also known as “ecstasy”, which is a schedule I controlled substance; and,
- 100 kilograms or more of a substance containing a detectable amount of marijuana, which is a schedule I controlled substance,

all in violation of Title 21, United States Code, Sections 846 and 841(a)(1).

COUNT TWO

(21 U.S.C. § 841(a)(1), 841(b)(1)(C) – Possession with Intent
to Distribute a Controlled Substance)

D-1, KHAOPHONE SYCHANtha
D-2, DAVID SOK
D-3, MAMIE ARTERBERRY

On or about December 18, 2008, in the Eastern District of Michigan,
Southern Division, Defendants KHAOPHONE SYCHANtha, DAVID SOK, and
MAMIE ARTERBERRY did knowingly, intentionally and unlawfully possess
with the intent to distribute, and aid and abet each other, and others, in unlawfully
possessing with the intent to distribute, one or more controlled substances,
specifically:

- a substance containing a detectable amount of N-Benzylpiperazine, also known as “BZP,” which is a schedule I controlled substance; and,
- a substance containing a detectable amount of MDMA (3,4 - methylenedioxymethamphetamine), also known as “ecstasy”, which is a schedule I controlled substance:

all in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT THREE

(21 U.S.C. § 841(a)(1),841(b)(1)(A)(viii),(B)(viii),(C) – Possession with Intent to Distribute a Controlled Substance)

D-1, KHAOPHONE SYCHANtha
D-3, MAMIE ARTERBERRY
D-4, RICHARD ARTERBERRY

On or about January 26, 2009, in the Eastern District of Michigan, Southern Division, Defendants KHAOPHONE SYCHANtha, MAMIE ARTERBERRY, and RICHARD ARTERBERRY knowingly, intentionally and unlawfully possess with the intent to distribute, and aid and abet each other, and others, in unlawfully possessing with the intent to distribute, one or more controlled substances, specifically:

- a substance containing a detectable amount of N-Benzylpiperazine, also known as “BZP,” which is a schedule I controlled substance;
- 500 grams or more of a substance containing a detectable amount of methamphetamine, which is a schedule II controlled substance;
- 5 grams or more of methamphetamine, which is a schedule II controlled substance; and,
- a substance containing a detectable amount of MDMA (3,4 - methylenedioxymethamphetamine), also known as “ecstasy”, which is a schedule I controlled substance;

all in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT FOUR

(21 U.S.C. § 841(a)(1), 841(b)(1)(C) – Possession with Intent
to Distribute a Controlled Substance)

D-1, KHAOPHONE SYCHANtha

On or about January 10, 2011, in the Eastern District of Michigan, Southern Division, Defendant KHAOPHONE SYCHANtha did knowingly, intentionally and unlawfully possess with the intent to distribute, and aid and abet each other, and others, in unlawfully possessing with the intent to distribute, one or more controlled substances, specifically:

- a substance containing a detectable amount of N-Benylpiperazine, also known as “BZP,” which is a schedule I controlled substance; and,
- a substance containing a detectable amount of MDMA (3,4 - methylenedioxymethamphetamine), also known as “ecstasy”, which is a schedule I controlled substance;

all in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATIONS

Pursuant to Fed.R.Cr.P. 32.2(a), the government hereby provides notice to the defendant(s) of its intention to seek forfeiture of all proceeds, direct or indirect, or property traceable thereto, all property that facilitated the commission of the violations alleged, or property traceable thereto, and all property involved

in, or property traceable thereto, of the violations set forth in this Indictment.

THIS IS A TRUE BILL

s/Grand Jury Foreperson

GRAND JURY FOREPERSON

Dated: 4. 9. 13

BARBARA L. McQUADE
United States Attorney

s/Carl D. Gilmer-Hill (CA161939)
CARL D. GILMER-HILL
Assistant United States Attorney

United States District Court Eastern District of Michigan	Criminal Case Cover Sheet	Case Number 05-81165
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NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

Reassignment/Recusal Information This matter was opened in the USAO prior to August 15, 2008 []

Companion Case Information		Companion Case Number: 05-80573 & 11-20181
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :		Judge Assigned: DENISE PAGE HOOD
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		AUSA's Initials: CD67

Case Title: USA v. KHAOPHONE SYCHANtha, et. al.,

County where offense occurred : Wayne

Check One: Felony Misdemeanor Petty

Indictment/ Information --- no prior complaint.

Indictment/ Information --- based upon prior complaint [Case number:]

Indictment/ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case Information

Superseding to Case No: 05-81165 **Judge:** Denise Page Hood

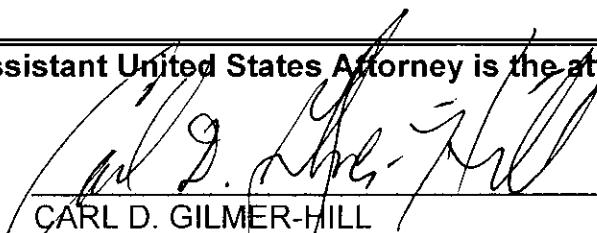
- Original case was terminated; no additional charges or defendants.
- Corrects errors; no additional charges or defendants.
- Involves, for plea purposes, different charges or adds counts.
- Embraces same subject matter but adds the additional defendants or charges below:

<u>Defendant name</u>	<u>Charges</u>	<u>Prior Complaint (if applicable)</u>
D-2, David Sok		n/a
D-3, Mamie Arterberry		n/a
D-4, Richard Arterberry		n/a

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

April 9, 2013

Date


 CARL D. GILMER-HILL
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 Attorney Bar #: CA161939

¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.